THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.27358 of 2006

05.1.2007

Between:

Potluri Brahma Reddy, S/o.P.Chinnapa Reddy

… Petitioner

AND

The District Collector, Ranga Reddy District
And another

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.27358 of 2006

ORDER:

The petitioner statedly purchased land admeasuring Acs.0.36 guntas in survey No.44/1A and B situated at Munganoor Village of Hayath Nagar Mandal in Ranga Reddy District, under a registered sale deed dated 30.4.2006. The petitioner also traced the title of his vendor and vendor's vendor. Be that as it is when the petitioner was removing debris and shrubs, second respondent allegedly raised objection and is trying to interfere with petitioner's possession. Aggrieved by the same, the petitioner filed the instant writ petition seeking a direction to respondents not to interfere with petitioner's possession.

The matter was heard at preliminary stage on 02.1.2007. Today again when the matter is listed, learned Assistant Government Pleader for Revenue (General-T), after getting instructions, submits that the entire extent of land in survey No.44/1 is Government land, which was assigned to four persons long ago. However, on information that at the instance of these assignees, sale transactions were taken place and some of the persons were fixing survey/boundary stones, second respondent and his officials prevented them. Learned Assistant Government Pleader denies the allegation that there was any interference by the respondents. He however does not dispute that unless and until due process of law is followed, petitioner's right to enjoy the property cannot be disturbed.

In view of the submissions made by the learned Assistant Government Pleader, this Court observes that unless and until the second respondent take necessary action either under A.P. Land Encroachment Act, 1905 or under A.P. Assigned Lands (Prohibition of Transfers) act, 1977, right of the petitioner to enjoy the property cannot be disturbed.

The writ petition, with the above observations, is accordingly disposed of. No costs.

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(**V.V.S.RAO,J**)

January 05, 2007.
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